

Environmentally Sensitive Lands Ordinance Options Summary

City Council Direction	Goals	Options/Alternatives (with Recommendation in Red)
1. Wash protection and drainage	Protect significant wash corridors	1. Enhance protection of 50 cfs washes Connect ESLO and the Drainage Ordinance with common terms and requirements and strengthen priority of washes in designation of NAOS and maintain threshold for protection of washes at 50 cfs or greater
		2. Reduce the threshold for significant washes to 25 cfs (recommended by 2 task force members)
2. Walls	a) Walls should not obstruct or disconnect washes and wildlife corridors or enclose natural area open space	1. Continue past practice of allowing walls to cross 50 cfs washes, provided drainage requirements are met
		2. Allow walls to cross 50 cfs washes only if wildlife corridors, wash flows, and visual connections are maintained. City Council approval required
		3. Prohibit walls from crossing 50 cfs washes under any circumstances
	b) Subdivision perimeter walls, when utilized, should be designed to accommodate incidental sheet flow of stormwater and allow for connection of meaningful open spaces	1. Allow subdivision perimeter walls to be placed on property lines enclosing the subdivision
		2. Allow subdivision perimeter walls, provided they are set back from the property line and specific design criteria regarding the walls are met. Development Review Board approval required
		3. Prohibit subdivision perimeter walls (recommended by 2 task force members)
3. Construction/Building Envelopes	Limit construction disturbance on a property to the minimum area necessary to complete the permitted improvements	1. Require that the "improvement envelope" be shown with the permit to minimize the amount of disturbance to the site.
		2. Require delineation of building envelopes on plats
4. Natural Area Open Space Location rang	Protect the most environmentally sensitive portions of a property within natural area open space easements and establish a more consistent open space network between developments	1. Emphasize continuous drainage corridors as the highest priority for NAOS
		2. Create a series of maps that identify known environmental features (washes, boulder outcrops, slopes, etc.) so that the most significant features on a site can be protected;

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5. Wildlife Corridors	Maintain and protect wildlife corridors for habitat value and allow wildlife access to and from the Preserve	1. Enhance protection of washes, which effectively creates and protects wildlife habitat and corridors.
6. Density Bonus	Maintain an incentive for dedication of more natural area open space than the ordinance requires	1. No change recommended to the existing ordinance
7. Boulder Protection	Protect significant boulder features	1. Allow property owner to incorporate smaller boulder features into development
		2. Require identification of smaller boulders than was required in previous ordinance and strengthen requirements for protecting them
8. Building Heights	Restrict new buildings in single-family residential districts to 24' in height, but allow developers of non-residential buildings to apply for a limited exemption if a hardship can be demonstrated	1. Allow only non-residential buildings in Single-family zoning districts to apply to City Council for additional height (up to 6' for 20% of the building footprint)
		2. Allow residential <u>or</u> non-residential property owner in Single-family zoning district to apply to City Council for additional height (up to 6' for 20% of the building footprint) based on hardship condition
9. "Grandfathering Provisions"	Apply new amendments to the ESLO to new development, while allowing prior development approvals to maintain rights granted when those approvals were given	1. Apply the same grandfathering provision as the 2001 ESLO amendments (rezoned masterplan community or approved plat or DRB approval or building permit issued)
		2. Exempt only: masterplan communities with 25% of the land platted; final plats with more than 50% of the lots permitted; active preliminary plats in effect on 4/17/2004; projects with amended development standards, and building permits issued prior to 4/17/2004
		3. Require that ALL new building/development that does not have an approved building permit when the amendments become effective comply with the new requirements.
		4. Allow projects to continue to develop under the regulations that were in place at the time of approval except for building height limitations and/or building color requirements (LRV), which would be governed by the level of improvements built within the project